

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Peter Barclay,) C/A No.: 3:21-3750-MGL-SVH
)
Plaintiff,)
)
vs.)
) ORDER
Capital Chrysler,)
)
Defendant.)
)

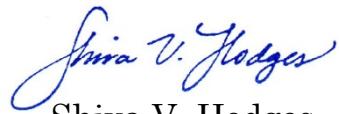
Plaintiff, proceeding pro se, brought this action alleging violations of his constitutional rights by Defendant. On December 6, 2021, Defendant filed a motion to dismiss. [ECF No. 8]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by January 6, 2022. [ECF No. 10]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to Defendant's motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Defendant. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the motion by January 27, 2022. Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for

failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

January 13, 2022
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge